IN THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. *(Currently Amended)* An information recording apparatus comprising:

a detection unit configured to detect a manufacturing error unique to an information storage medium;

a transmission unit configured to transmit the manufacturing error detected by the detection unit to an external apparatus;

a reception unit configured to receive data indicating a recording ~~a recordable~~ capacity of the information storage medium which is calculated by the external apparatus on the basis of the manufacturing error transmitted from the transmission unit; and

~~a limitation unit configured to limit data to be supplied on the basis of the recordable capacity received by the reception unit; and~~

~~a recording/aborting unit configured to record the recording data, supply of which is limited by the limitation unit, or to abort recording of the recording data.~~

a recording control unit configured to determine whether first recording target data is recordable based on the data received by the reception unit, to request the first recording target data of the external apparatus based on a result of the determination, to record, on the information storage medium, first recording data generated from the first recording target data, to compare an amount of the first recording data with the recording capacity, to request second recording target data of the external apparatus when lack of recording capacity is not estimated from a result of the comparison, to record, on the information storage medium, second recording data generated from the second recording target data, and to limit a request for the second recording target data when the lack of recording capacity is estimated from the result of the comparison.

2. *(Currently Amended)* An apparatus according to claim 1, wherein the detection unit detects a disc tilt amount unique to the information storage medium,

the transmission unit transmits the disc tilt amount detected by the detection unit to the external apparatus, and

the reception unit receives the data indicating the recording ~~a recordable~~ capacity of the information storage medium which is calculated by the external apparatus on the basis of the disc tilt amount.

3. *(Currently Amended)* An apparatus according to claim 1, wherein the detection unit detects a read rate of prepits recorded on the information storage medium,

the transmission unit transmits the read rate of the prepits detected by the detection unit to the external apparatus, and

the reception unit receives the data indicating the recording ~~a recordable~~ capacity of the information storage medium which is calculated by the external apparatus on the basis of the read rate of the prepits.

4. *(Currently Amended)* An apparatus according to claim 1, wherein the detection unit detects a disc eccentricity amount unique to the information storage medium,

the transmission unit transmits the disc eccentricity amount detected by the detection unit to the external apparatus, and

the reception unit receives the data indicating the recording ~~a recordable~~ capacity of the information storage medium which is calculated by the external apparatus on the basis of the disc eccentricity amount.

5. *(Currently Amended)* An apparatus according to claim 1, wherein the detection unit detects a read rate of wobble signals obtained in correspondence with wobbled tracks formed on the information storage medium,

the transmission unit transmits the read rate of the wobble signals detected by the detection unit to the external apparatus, and

the reception unit receives the data indicating the recording ~~a recordable~~ capacity of the information storage medium which is calculated by the external apparatus on the basis of the read rate of the wobble signals.

6. *(Currently Amended)* An apparatus according to claim 1, wherein the detection unit detects a manufacturing error in a predetermined area on the information storage medium on the

basis of reflected light from the information storage medium, and determines if data can be recorded on this area,

the transmission unit transmits the manufacturing error in the predetermined area detected by the detection unit to the external apparatus, and

the reception unit receives the data indicating the recording ~~a recordable~~ capacity of the information storage medium which is calculated by the external apparatus on the basis of the manufacturing error in the predetermined area.

7. *(Currently Amended)* An information recording apparatus comprising:

a detection unit configured to detect a manufacturing error unique to an information storage medium;

a determination unit configured to determine a recording ~~recordable~~ capacity of the information storage medium on the basis of the manufacturing error detected by the detection unit; and

~~a limitation unit configured to limit data to be supplied on the basis of the recordable capacity determined by the determination unit; and~~

~~a recording/aborting unit configured to record the recording data, supply of which is limited by the limitation unit, or to abort recording of the recording data.~~

a recording control unit configured to determine whether first recording target data is recordable based on the determined recording capacity, to request the first recording target data of an external apparatus based on a result of the determination, to record, on the information storage medium, first recording data generated from the first recording target data, to compare an amount of the first recording data with the recording capacity, to request second recording target data of the external apparatus when lack of recording capacity is not estimated from a result of the comparison, to record, on the information storage medium, second recording data generated from the second recording target data, and to limit a request for the second recording target data when the lack of recording capacity is estimated from the result of the comparison.

8. *(Original)* An apparatus according to claim 7, wherein the detection unit detects a disc tilt amount unique to the information storage medium, and

the determination unit determines the recordable capacity of the information storage medium on the basis of the disc tilt amount.

9. *(Original)* An apparatus according to claim 7, wherein the detection unit detects a read rate of prepits recorded on the information storage medium, and

the determination unit determines the recordable capacity of the information storage medium on the basis of the read state of the prepits.

10. *(Original)* An apparatus according to claim 7, wherein the detection unit detects a disc eccentricity amount unique to the information storage medium, and

the determination unit determines the recordable capacity of the information storage medium on the basis of the disc eccentricity amount.

11. *(Original)* An apparatus according to claim 7, wherein the detection unit detects a read rate of wobble signals obtained in correspondence with wobbled tracks formed on the information storage medium, and

the determination unit determines the recordable capacity of the information storage medium on the basis of the read rate of the wobble signals.

12. *(Original)* An apparatus according to claim 7, wherein the detection unit detects a manufacturing error in a predetermined area on the information storage medium on the basis of reflected light from the information storage medium, and determines if data can be recorded on this area, and

the determination unit determines the recordable capacity of the information storage medium on the basis of the manufacturing error in the predetermined area and the recordable/unrecordable determination result of data in the predetermined area.

13. *(New)* An apparatus according to claim 1, wherein:

the recording control unit generates the first recording data by adding a first error correction code to the first recording target data and modulating the first recording target data with the first error correction code, and measures an amount of the first recording data; and

the recording control unit generates the second recording data by adding a second error correction code to the second recording target data and modulating the second recording target data with the second error correction code, and measures an amount of the second recording data.

14. *(New)* An apparatus according to claim 7, wherein:

the recording control unit generates the first recording data by adding a first error correction code to the first recording target data and modulating the first recording target data with the first error correction code, and measures an amount of the first recording data; and

the recording control unit generates the second recording data by adding a second error correction code to the second recording target data and modulating the second recording target data with the second error correction code, and measures an amount of the second recording data.